

COUNCIL

20 FEBRUARY 2013

Present :- Councillor Christopher Arnold (Mayor)
Councillors Nick Barlow, Lyn Barton, Kevin Bentley,
Mary Blandon, Elizabeth Blundell, Tina Bourne,
Mark Cable, Nigel Chapman, Peter Chillingworth,
Helen Chuah, Barrie Cook, Nick Cope, Mark Cory,
Beverly Davies, John Elliott, Andrew Ellis,
Annie Feltham, Bill Frame, Ray Gamble, Martin Goss,
Glenn Granger, Scott Greenhill, Marcus Harrington,
Dave Harris, Julia Havis, Jo Hayes, Pauline Hazell,
Peter Higgins, Theresa Higgins, Mike Hogg, Martin Hunt
(Deputy Leader) , Brian Jarvis, John Jowers,
Margaret Kimberley, Sonia Lewis, Cyril Liddy,
Michael Lilley, Jackie Maclean, Jon Manning,
Richard Martin, Colin Mudie, Kim Naish, Nigel Offen,
Beverley Oxford, Gerard Oxford, Philip Oxford,
Will Quince, Lesley Scott-Boutell, Paul Smith,
Terry Sutton, Anne Turrell (Leader of the Council) ,
Dennis Willetts, Julie Young and Tim Young

Councillor Cope was not present for items 55 onwards.

The meeting was opened with prayers by the Mayor's Chaplain, the Reverend Canon David Atkins.

48. Apologies

RESOLVED that in future apologies sent by Councillors for meetings of Full Council should be recorded in the minutes.

Apologies were received from Councillors Fairley-Crowe, Ford, Lissimore, Colin Sykes and Laura Sykes.

49. Minutes

The minutes of the meeting held on 6 December 2012 were confirmed as a correct record.

50. Have Your Say!

Nick Chilvers addressed the Council pursuant to the provisions of Council Procedure Rule 6(1). He sought clarification on how decisions in respect of the changes to the access to the High Street had been taken. Whilst the decision would please groups

such as cyclists, bus companies, out of town and internet retailers, it would upset residents of Priory Street, Brook Street, Middlebrough and the Dutch Quarter, independent traders and the disabled. He expressed concern that despite their importance, the issues had not been properly debated by Council. Residents may wish to know the views of their ward Councillors on the issue. The Council was enacting major policy with long term consequences without elected representatives having their say. This was not good for local democracy.

Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, indicated the decision had been taken under the Cabinet system. Councillors and residents had indicated their support for some form of pedestrianisation. A full written response would be sent.

51. Mayor's Announcements

The Mayor announced the following forthcoming Mayoral events:-

- A Night in the Cells on 22 February 2013;
- Bach Choir Concert at St Botolph's on 23 February 2013;
- Cabaret Night at Colchester Arts Centre on 23 March 2013;
- Sweetings Swing Band at Colchester Arts Centre on 12 May 2013.

52. Suspension of Procedure Rules

RESOLVED that Council Procedure Rule 14(3) be suspended for the following item only to allow Group Leaders to speak untimed.

53. 2013/14 Revenue Budget, Capital Programme and Medium Term Financial Forecast

Councillor Blundell (in respect of her position as a trustee of Age UK Colchester) declared a disclosable non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

RESOLVED that the recommendations contained in minute 53 of the Cabinet meeting on 23 January 2013 and the recommendations contained in the Head of Resource Management's report entitled "Precept and Council Tax Levels 2013-2014" be approved and adopted (MAJORITY voted FOR).

54. Tiptree Jam Factory Plan // Development Plan Document

In the course of the Council's debate on this item, the Monitoring Officer advised that voting in favour of the Motion would not prejudice a member's future involvement in the

consideration of any planning application that may be brought forward in relation to the site.

RESOLVED (UNANIMOUSLY) that the recommendations contained in minute 18 of the Local Plan Committee meeting of 17 December 2013 be approved and adopted.

55. Notice of Motion // Members Allowances

It was PROPOSED by Councillor Quince that:-

"At a time when many household budgets are under pressure, Council resolves to display its solidarity with the residents of the Borough by urging Members of the Council not to take up the proposed increase in Members' allowances."

On being put to the vote, the MOTION was LOST (TWENTY voted FOR, THIRTY THREE voted AGAINST and ONE ABSTAINED FROM VOTING).

A named vote having been requested pursuant to the provisions of Council Procedure Rule 15(2) the voting was as follows:-

Those who voted FOR were:-

Councillors Bentley, Blundell, Cable, Chapman, Chillingworth, Davies, Elliott, Ellis, Granger, Harrington, Hazell, Jarvis, Jowers, Kimberley, Lewis, Maclean, Martin, Quince, Sutton, and Willetts.

Those who voted AGAINST were:-

Councillors Barlow, Barton, Blandon, Bourne, Chuah, Cook, Cory, Feltham, Frame, Gamble, Goss, Greenhill, Harris, Havis, Hayes, P. Higgins, T. Higgins, Hogg, Hunt, Liddy, Lilley, Manning, Mudie, Naish, Offen, B. Oxford, G. Oxford, P. Oxford, Scott-Boutell, Smith, Turrell, J. Young and T. Young.

Those who ABSTAINED from voting were:

The Mayor (Councillor Arnold)

56. Questions to Cabinet Members and Chairmen pursuant to Council Procedure Rule 10

Councillors T. Young and Frame (in respect of their positions on the Board of Colne Housing) declared a disclosable pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5) in the question relating to Abbotts Activity Centre and left the meeting whilst the question was answered.

Councillors Quince and Davies (in respect of their position as directors of a company that had bid for the lease of Tymperleys) declared a disclosable non-

pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5) in the question relating to Tynperleys.

Questioner	Subject	Response
Pre-notified Questions		
Councillor Lissimore	Following a non collection of black bag rubbish on the Westlands estate on Friday 1st February, I was informed that the reason it took until the following Tuesday to collect the bags, was due to holiday leave and sickness with the refuse truck therefore having only 1 regular loader - the other staff were from an agency. Could the Portfolio Holder for Street and Waste Services confirm how many hours have been covered, within the waste services team, by agency staff in this financial year? And also the additional cost to the taxpayer over regular staff	Councillor Hunt, Portfolio Holder for Street and Waste Services, indicated that approximately 20,000 hours had been covered by agency staff at an additional cost of £29,000. A full written response providing context around these figures would be provided and copied to all Councillors.
Councillor Elliott	Could the Housing Portfolio Holder please speed up the progress on what is intended to be done with regards to the future of sheltered housing at Maytree Court in Tiptree. The elderly residents are most concerned about not knowing what their short or long term future is to be.	Councillor Bourne, Portfolio Holder for Housing, indicated that the Council had shown its commitment to Maytree Court residents by the refurbishment work. However, the implementation of the sheltered housing review would carry on as planned.
Verbal Questions		
Councillor Lewis	Whether the Portfolio Holder would consider the installation of litter bins in the Lexden area	Councillor Hunt, Portfolio Holder for Street and Waste Services, indicated that he would

	sponsored by fast food suppliers?	discuss the provision of further litter bins in this area and the idea of sponsorship with officers.
Councillor Lewis	Could the Portfolio Holder for Communities and Leisure Services provide an update on the tender process for Abbots Activity Centre and give an assurance that tenders would be fully evaluated to ensure that tenderers had the necessary skills and resources to take Abbots forward?	Councillor Feltham, Portfolio Holder for Communities and Leisure Services, explained the advert inviting expressions of interest would be published on 1 March 2013. The decision was scheduled for scrutiny in June 2013. The scoring of tenders would be an open process.
Councillor Chillingworth	Could the Leader of the Council explain why the trial of changes to access to the High Street was being implemented before the completion of NAR3, Park and Ride and other traffic improvements?	Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, explained residents of Colchester wished to see the pedestrianisation of the High Street. The timing of the works was a matter for Essex County Council and the timing of NAR3 and Park and Ride were outside of the Council's control. The Council had been assured that the planned changes would work
Councillor Davies	Had the skate park been inspected and had the inspection that revealed that the park needed refurbishment. What progress had been made in setting up a 'Friends of' group to help fundraise for the works needed to the skate park?	Councillor Feltham, Portfolio Holder for Communities and Leisure Services, indicated that a written response would be sent.
Councillor Bentley	Could the Portfolio Holder for Renaissance provide	Councillor Barton, Portfolio Holder for

	<p>an update on the position on leasing Tymperleys to Wilkin and Sons for a café?</p>	<p>Renaissance, indicated that she was disappointed that Wilkin and Sons had taken the decision to look at other sites. The Council would now look again at other parties who indicated an interest in leasing Tymperleys.</p>
<p>Councillor Harrington</p>	<p>Did the Leader of the Council personally think that the scheme of changes to access to the High Street was a good idea? Had the Leader of the Council expressed her opinion on the scheme to Essex County Council?</p>	<p>Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, indicated that it had been anticipated that Park and Ride would have been in place by now. She had been in position to express a view to Essex County Council. However her personal opinion was immaterial and the Council now had to work together with Essex County Council on the scheme</p>
<p>Councillor Quince</p>	<p>Had the Portfolio Holder for Business and Resources written to Essex County Council asking them to delay the introduction of the changes to the access to the High Street?</p>	<p>Councillor Smith, Portfolio Holder for Business and Resources, indicated that he had on the basis that he believed this was in the best interests of the people of Colchester.</p>
<p>Councillor Quince</p>	<p>Had the Leader of the Council refused an offer to meet with leaders of the business community to discuss the impact of the changes to the access of the High Street and would she commit to meet key stake holders in a public meeting?</p>	<p>Councillor Turrell, Leader of the Council and Portfolio Holder for Strategy, indicated that she had not refused such a meeting. The business community did not oppose the changes to the access to the High Street.</p>

57. Schedules of Decisions taken by Portfolio Holders

RESOLVED that the Schedules of Decisions taken by Portfolio Holders for the period 22 November 2012 - 1 February 2013 be noted.